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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/076,231	02/14/2002	Charlotte Johansen	10151.200-US	1015

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EXAMINER

KUMAR, PREETI

ART UNIT PAPER NUMBER

1751

DATE MAILED: 11/20/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

2009

Office Action Summary	Application No. 10/076,231	Applicant(s) JOHANSEN ET AL	
	Examiner Preeti Kumar	Art Unit 1751	

-- The MAILING DATE of this communication appears on the cover sheet with the corresponding address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 August 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 7-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 7-22 is/are rejected.
- 7) ☒ Claim(s) 10, 13 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. Claims 1-6 are cancelled.
2. Claims 7-22 are pending.
3. The rejections made in the previous office action dated March 28, 2003 are withdrawn in light of Applicant's cancellation of the claims.

Response to Arguments

4. Applicant's arguments with respect to claims 7-22 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

5. Claims 7-9 and 11-12 and 14-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blackburn et al. (US 5,762,948) in view of Johansen (US 6,287,585).

Blackburn et al. teach moist paper or fabric wipes which afford rapid, one-step disinfection and drying of surfaces. The wipes contain a liquid disinfectant formulation typically comprising a bacteriocin as the disinfecting agent, a stabilizer for the bacteriocin, a chelating agent, a surfactant, a salt, a skin conditioner or humectant, and an agent to promote rapid drying. The bacteriocin disinfecting agent can also be combined with commonly used germicidal agents, as appropriate. See col.2, ln.23-40. Blackburn et al. teach that other peptide bacteriocins such as lysostaphin may also suitably be employed. See col.3, ln.10-15. Blackburn et al. a disposable wipe of a paper or cloth fabric typically with a bacteriocin-based formulation further comprising a chelating agent, a salt component, a stabilizer, a drying agent and a surfactant. The

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wipes provide efficient one-step disinfection and drying of surfaces and have applicability to any situation requiring sanitization of a surface. See col.2, ln.65- col.3, ln.5.

Blackburn et al. do not specifically teach a method of washing a fabric in an aqueous medium with a detergent composition comprising an enzyme having lysostaphin activity, a surfactant, and the specific enzymes recited in the instant claims.

Johansen teaches a method of inhibiting microorganisms present in laundry, wherein the laundry is treated with a soaking, washing or rinsing liquor comprising a poly-cationic compound and one or more enzymes, with the proviso that when the enzyme is an oxidoreductase then the poly-cationic compound is not a polylysine, polyarginine or a co-polymer thereof. See col.1, ln.57-64. Johansen teaches that the composition is useful as antimicrobial ingredient wherever such an ingredient is needed, for example for the preservation of cosmetics, contact lens products, or enzyme compositions; as a disinfectant for use e.g. on human or animal skin, mucous membranes, wounds, bruises or in the eye; for killing microbial cells in laundry; and for incorporation in cleaning compositions or disinfectants for hard surface cleaning or disinfection. See col.2, ln.15-25 and examples 2 and 3.

Specifically regarding the enzymes of claims 7-9, 11-12 and 14-16, Johansen teaches the utility of protease, lipase, amylase, xylanase, and pectinase. See col.4-col.6.

Specifically regarding the detergent composition of claims 17-22, Johansen teaches the utility of bleaching agents, suds controlling agents, soil-suspending agents,

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soil-releasing agents, optical brighteners, abrasives, bactericides, tarnish inhibitors, coloring agents, and/or perfumes. Antiredeposition and soil suspension agents suitable herein include cellulose derivatives such as methylcellulose, carboxymethylcellulose and hydroxyethylcellulose, and homo- or co-polymeric polycarboxylic acids or their salts. Polymers of this type include the polyacrylates and maleic anhydride-acrylic acid copolymers previously mentioned as builders, as well as copolymers of maleic anhydride with ethylene, methylvinyl ether or methacrylic acid, the maleic anhydride constituting at least 20 mole percent of the copolymer. These materials are normally used at levels of from 0.5% to 10% by weight, more preferably from 0.75% to 8%, most preferably from 1% to 6% by weight of the composition. See col.23-24.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to wash a fabric with a detergent composition comprising an enzyme having lysostaphin activity, a surfactant, and the specific enzymes recited by the instant claims, because Johansen et al. teach a detergent composition comprising an enzyme derived from the staphylococcus epidermidis which is known in the art to produce lysostaphin enzyme and the other requisite components as recited by the instant claims and furthermore, Blackburn et al teach a method of disinfection of surfaces in general with a bacteriocin based formulation comprising lysostaphin a chelating agent a salt a stabilizer and a surfactant.

Allowable Subject Matter

6. Claims 10 and 13 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the

limitations of the base claim and any intervening claims. The prior art of record do not teach or suggest a method of washing a fabric in an aqueous medium with a detergent composition comprising an enzyme having lysostaphin activity, a surfactant, and the specific enzymes arabinase and mannanase.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Preeti Kumar whose telephone number is 703-305-0178. The examiner can normally be reached on M-F 9:00am - 5:30pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Yogendra N. Gupta can be reached on 703-308-4708. The fax phone

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number for the organization where this application or proceeding is assigned is 703-872-9310.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-872-9309.

Preeti Kumar
Examiner
Art Unit 1751



YOGENDRA N. GUPTA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 1700

PK